
Subject: Guidelines on Holidays

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1. Purpose

The following guidelines describe the provisions for eligible employees to receive paid time off for specific workdays observed as holidays, or to earn holiday pay and/or compensatory leave as a result of working on a designated holiday. A list of the holidays observed by the Commonwealth of Virginia and Virginia Tech is provided. The guidelines were developed to ensure compliance with the Department of Human Resource Management, Holidays Policy 4.25 (http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol4_25.pdf?sfvrsn=2).

2. Policy

The following days are observed as holidays for classified and university staff. Those marked with an asterisk are nationally observed holidays when classes are not in session and the university is normally closed with only essential personnel designated to work. These are also designated holidays for faculty on 12-month appointments. Essential personnel may be required to work on holidays.

2.1 Holidays/Dates

*New Year's Day - January 1

Lee-Jackson Day – Friday before the Third Monday in January

*Martin Luther King Day - Third Monday in January

George Washington Day - Third Monday in February

*Memorial Day - Last Monday in May

*Independence Day - July 4

*Labor Day - First Monday in September

Columbus Day and Yorktown Victory Day - Second Monday in October

Veterans Day - November 11

*Thanksgiving Day - Fourth Thursday in November

*Friday after Thanksgiving

*Christmas Day - December 25

Any other work day designated by the Governor of Virginia or the President of the United States.

Holidays occurring on a Saturday will be observed on the preceding Friday; holidays occurring on a Sunday will be observed on the following Monday.

2.2 Accrued Compensatory Leave

1. Essential employees working the holiday will receive either a compensatory day that must be used before that holiday reoccurs (within 12 months of the date earned) or straight time pay in lieu of leave, as determined by the employee's supervisor.
2. In order to receive pay for a holiday, an employee must be in a paid status the entire day before and the entire day after the holiday.
3. Full-time employees will receive 8 hours of compensatory leave for each qualifying holiday worked, regardless of work schedule. Part-time employees who work on a holiday will receive compensatory leave on a pro-rata basis – equivalent to the percentage of employment. (For example, a staff member who works 50% FTE (part time), or 20 hours per week, will receive 4 hours of compensatory leave for each qualifying holiday worked).
4. An employee cannot charge holiday leave when on full disability and receiving short-term disability pay provided by VSDP. The holiday must be recorded as VSDP.
5. If a holiday falls on an employee's rest day, other than a Saturday or Sunday, the employee will be awarded compensatory leave for that day.
6. An employee on any type of approved leave status with pay (i.e., annual, sick, or overtime) on a holiday will charge holiday leave for that day.
7. If a holiday falls on the last day of the month and the employee will retire on the first day of the following month, the employee will receive pay for the holiday if the employee worked, or was in a paid status, the entire day before the holiday.
8. If the first day on the job is a holiday and is also the first day of the pay period, the employee will earn the holiday if they work the following scheduled full workday.

9. Likewise, upon separation or retirement, when the final work day of the pay period is a holiday and the employee works the day before or is on paid leave, the holiday is earned.

2.3 Accommodations for Religious Holidays

Departments should make reasonable accommodation for religious holiday needs of employees as long as such accommodation will not impede normal university operations.

1. If an employee requests a day off to observe a religious holiday that falls during the employee's normal work schedule, reasonable efforts should be made to accommodate the request. Employees are encouraged to request leave in advance in order for the accommodation to be considered.
2. A request for time off for a religious holiday should be denied only if the supervisor determines that the employee's absence would impede the department from conducting business. Management should document and be prepared to support the decision.

Time off for religious holidays shall be charged to appropriate leave balances or to leave-without-pay.

2.4 Management's Determination to Close on Holidays

The decision to close a department on any workday designated as a holiday is the option of the department head. Consideration should be given to the flexibility of the department workload, sensitivity to employee preference and available leave balances. Certain departments are required to remain open due to the nature of the work; in some cases, minimal or full staffing may be necessary.

Twelve-month faculty, administrative and professional faculty, and staff must use either annual or compensatory leave for all time taken off during office closure except for holidays where the university is closed.

2.5 Winter Break Closing

The university is closed between December 25 and January 1 each year ("Annual Winter Break"). All faculty members who earn annual leave as part of their appointments, and classified and university staff must use annual or other appropriate leave balances to cover the days not worked that have not been designated as official holidays. Faculty, classified and university staff who are enrolled in VSDP will receive four days of family personal leave on their first day worked.¹ Family and Personal leave may be used for family or personal reasons as well as to care qualifying family members in the event of an illness or injury.

Salaried employees who do not work and have insufficient leave balances to cover the winter break will be placed in a leave-without-pay status in accordance with state and university leave policies.

Certain departments may remain open due to the nature of the work; in some cases, minimal or full staffing may be necessary. Each department head has the authority to designate the employees required to work during the winter break to support necessary university or departmental operations or functions. Normal holiday

¹ Pursuant to federal law, H-1B visa employees must be paid the wages as certified to the U.S. Department of Labor pursuant to the Labor Condition Application submitted with the petition for visa. Section 212(n), Immigration and Nationality Act; 20 CFR 655.731. If an H-1B visa employee anticipates not having annual leave to facilitate the holiday closure in December and January, he or she shall immediately notify Human Resources. H-1B visa employees shall be exempt from reduction in wages due solely to university closure during Annual Winter Break.

compensatory leave policies will apply when employees work on one of the officially designated university holidays.

During the winter break, departments must make arrangements to retrieve communications (e.g., voicemail, e-mail, etc.) on a regular basis from the public and provide a timely and appropriate response.

3. Procedures

The Leave and Time Worked Reporting System (<http://www.hr.vt.edu/benefits/leave/leave-reporting/>) is used to report all types of leave by all salaried faculty and staff. The leave system will automatically record the leave abbreviation "W" crediting classified and university staff employees with compensatory leave for the holidays the university is normally open. Similarly, the leave system will automatically record the leave abbreviation "H" as holiday taken when the university is closed; no compensatory leave is earned. Department leave representatives and individuals entering leave data must ensure the accuracy of the leave they are reporting by overriding the automatic (default) entries against actual leave usage as appropriate.

4. Definitions

Staff: Defined as salaried non-faculty employees, and includes Classified Staff and University Staff.

5. References

Virginia Department of Human Resource Management, Policy 4.25, Holidays
http://www.dhrm.virginia.gov/docs/default-source/hrpolicy/pol4_25.pdf?sfvrsn=2

Policy 4010, Policies Governing University Staff
<http://www.policies.vt.edu/4010.pdf>

6. Approval and Revisions

- Revision 3

Updated to remove variable "dates" from holiday list. Information included in Section 2.3 about accommodations for religious holidays and in Section 2.4 about the week between Christmas and New Year's Day.

Approved November 15, 1993 by Associate Vice President for Personnel and Administrative Services, Ann Spencer.

- Revision 4

Section 2.0 was updated to clarify university department head's flexibility to close departments on nationally observed holidays if the university is not closed.

Approved January 5, 1996, by Associate Vice President for Personnel and Administrative Services, Ann Spencer.

- Revision 5

Section 1.0: Deletion of references to *Faculty Handbook* and *Commonwealth of Virginia Employee Handbook*.

Established links to websites for referenced policies.

Section 3.0 Procedures: New instructions were added for leave reporting to coincide with the new electronic leave system implemented in January 1999.

- Revision 6

Addition of the holiday of Martin Luther King Day - Friday before the Third Monday in January.

Approved September 8, 2000 by Assistant Vice President for Personnel Services, Linda S. Woodard.

October 10, 2001: Technical corrections to update policy links and name change for the Commonwealth of Virginia's Department of Human Resource Management (formerly Department of Personnel and Training).

- Revision 7

Section 2.2. Accrued Compensatory Leave – Clarification of leave accrual and while on short-term disability.

Clarification of leave system updates in Section 3. Procedures

Approved April 16, 2002 by Vice President for Budget and Financial Management, M. Dwight Shelton, Jr.

- Revision 8

September 1, 2006: Technical revisions to include University Staff in accordance with resolution approved by the Virginia Tech Board of Visitors June 12, 2006 to cover University Staff under policies identical to the current human resources policies until the new human resources system is developed.

- Revision 9

September 1, 2007: Technical revisions to correct holiday names to be consistent with the State's Holiday Policy and clarification that the Department Head has the authority to close during the winter break "for business reasons."

Approved September 1, 2007 by Vice President for Administrative Services, Sherwood G. Wilson

- Revision 10

Section 2.1: Resolution passed by the Board of Visitors on March 31, 2008, closing the university on Martin Luther King Day.

Approved November 5, 2008 by Vice President for Administrative Services, Sherwood G. Wilson.

Annual review June 1, 2010 by Vice President for Administrative Services, Sherwood G. Wilson. No revisions.

- Revision 11

Section 2.4: Resolution passed by the Board of Visitors on June 7, 2010 closing the university for the week between December 25 and January 1.

Approved November 4, 2011 by Vice President for Administrative Services, Sherwood G. Wilson.

- Revision 12

Section 2.2: Amended to ensure consistency with state policy which allows for straight time pay or compensatory leave to be used as compensation for holidays worked.

Section 2.5: Added a footnote regarding exemption from reduction in wages for employees on H1B visas during the winter break closing.

Approved May 16, 2014 by Vice President for Administration, Sherwood G. Wilson.

- Revision 13

Updated section 3 with information regarding the new Leave and Time Worked Reporting System.

Approved January 4, 2017 by Vice President for Administration, Sherwood G. Wilson.

- Revision 14

Section 2.1: Designation of Labor Day as a nationally observed holiday when classes are not in session and the university is normally closed with only essential personnel designated to work. Already a holiday for staff, Labor Day now becomes a holiday for faculty also.

Passed April 10, 2017 by University Council.

Approved April 10, 2017 by President Timothy D. Sands.